

WASHINGTON CITY, May 21.

Some notices having been lately taken in several prints of embarrassments having arisen in the adjustment of American claims under the convention of 1803 with France, we are enabled to state that some obstacles to a final liquidation of them exist from the various constructions given to that instrument. We can, however, assure the public that measures have been taken with a view to such an understanding between the two governments as, while the immediate convenience of the claimants is attended to in a reasonable degree, may tend ultimately to secure equal justice to every claim not foreclosed by the former convention of 1800, and that no payment of claims liquidated by the commissioners has yet been actually made.

#### OFFICIAL.

To RICHARD V. MORRIS, Esq. New-York. Navy Department, May 19, 1804.

SIR, With my letter to you of the 2d inst. I transmitted to you a copy of the opinion of the court appointed to enquire into your conduct as commanding officer of the late squadron of armed vessels of the United States, in the Mediterranean. This opinion having satisfied the President that it is not the public interest that you should be longer continued in command in the navy of the United States, I have it in charge from him to inform you, that he has revoked your commission.

I am, sir, your obedient servant,  
ROBERT SMITH.  
The following abstract from the proceedings of the court in the case of Commodore Morris, sets forth the opinion referred to in the above letter.

FRIDAY, 13th April, 1804.

PRESENT.—The same members of the court, as before; and the Judge Advocate.

The court was cleared, and proceeded, to form and pronounce their opinion, as follows, viz:

This court having carefully examined, and deliberately weighed the evidence produced, and all that was alleged by captain Richard V. Morris in explanation or in vindication of his conduct, *DO REPORT*, as their *OPINION*, that the said Capt. Morris did not conduct himself, in his command of the Mediterranean squadron, with the diligence or activity necessary to execute the important duties of his station; but that he is censurable for his inactive and dilatory conduct of the squadron under his command, in these instances, viz:

1. In remaining with, and detaining his squadron at Malta, without necessity, or any adequate object, answerable to the length of his stay and detention aforesaid; that is to say, from the fifth to the thirtieth day of January, 1803; also from the eleventh to the nineteenth day of February, 1803; and also from the first to the twenty-first day of May, 1803.

2. In carrying his whole squadron, on the 19th day of February, 1803, from Malta to Tunis Bay, and thence down to Gibraltar, and not returning with or sending back any part of his squadron till the month of May following; having in the mean time, no part of his squadron on the station, aloft, to cruise off the coast of Tripoli, or otherwise protect our commerce in that quarter, as occasion might serve.

3. In remaining with, and detaining his squadron at Gibraltar, without necessity or any adequate object, till too late a period in the spring of the year 1803; that is to say, from the twenty-third day of March, to the eleventh day of April, 1803.

4. In not proceeding with, or sending any part of his squadron (after the one unsuccessful attempt in the month of January 1803) to the coast of Tripoli, till he sent capt. Rodgers, from Malta, with the frigate John Adams alone, on the 5th May 1803; who arrived with his frigate before Tripoli on the 8th May following.

5. In not going sooner than the 22d May 1803, to the coast of Tripoli.

6. In quitting the Blockade of Tripoli, on the 10th June, 1803, in the frigate New York, accompanied by the schooner Enterprize, without necessity or any adequate object—and never afterwards appearing on the coast of Tripoli.

7. In raising the Blockade of Tripoli, on the 26th day of June, 1803, and carrying the whole squadron from thence to Malta, Messina, Naples, Leghorn, &c. without necessity or any adequate object, and never afterwards sending any part of the squadron to the coast of Tripoli.

And this court do further report, that as to the period that the Mediterranean squadron was under the command of capt. Morris from the 25th May, 1802, when he first arrived in the Mediterranean on the 5th January, 1803, when he was joined at Malta by capt. James Barron, with the frigate New-York, and by capt. John Rodgers, with the frigate John Adams, there are no facts disclosed by the evidence, sufficiently clear and explicit, whereon to ground any censure of the conduct of capt. Morris, in his command aforesaid, or whereon to form any specific opinion sufficiently satisfactory to the judgment and conscience of this court:—Wherefore they have limited the expression of their opinion to such periods of his command, and to such parts of his conduct as they could, from the evidence, fairly & clearly pass an opinion upon.

Given under our hands this thirteenth day of April, 1804.

SAMUEL BARRON, President.  
HUGH G. CAMPBELL.  
JOHN CASSIN.

#### NOTICE.

A petition will be presented to the next General Assembly, praying that the James River Canal Company may be compelled to carry their Canal into Tide Water.

## The Virginia Argus.

RICHMOND:

SATURDAY, MAY 25, 1804.

The Secretary of the Navy has issued orders to the officers at New-York, Philadelphia and Baltimore, to close their recruiting rendezvous, and to repair, without delay, to their respective ships.

The following paragraph, under the Paris head of March 16, exhibits the opinion of the French wish to entertain of the cause of the king of England's late disposition.

PARIS, March 16.  
Extract of a letter from London, dated February 28.  
"His majesty is quite recovered in an extraordinary manner. Dr. Willis came in with a person dressed in the uniform of a French general, and told his majesty that it was Bonaparte made prisoner; it had the desired effect, so powerful is the name of Bonaparte!"

A point of a singular and interesting nature was on Wednesday determined by the court of Session at Edinburgh. The question taken generally, was—whether a man, after having signified his intention not to live any longer with his wife, could insist on her leaving his house, and to betake herself to another which he had provided for her? In the peculiar case before the Court, the lady had refused his mandate, upon the ground that the husband had no power to dissolve the marriage society, without previously verifying the cause. Memorialists had been ordered in the case, which were taken into consideration, when their Lordships after several delivering their opinions, found (by a majority of seven to four) that they could give the lady no relief, thereby confirming the right of a husband to assign the place of residence of his wife without his society.

#### FROM THE ENQUIRER.

#### COMMUNICATION.

#### LAW CASE.

On Thursday and Friday last a legal question of great curiosity, novelty, and importance, was argued in the Court of Appeals. The name of the case was Stone against Keeling, and the circumstances are as follow:

One Keeling, some thirty or forty years ago, married a woman by whom he had a son. His wife then died, and after the lapse of a few years he married a lady who was known by the name of Mrs. Arbuckle. This lady at the time of her intermarriage with Mr. Keeling had another husband who is still living. Mr. Arbuckle and herself, not enjoying domestic happiness, separated, he continuing in the county of Accomack, on the Eastern shore of Virginia, she removing to the county of Princess Anne, where she married Mr. Keeling. Previous to this marriage Arbuckle had frequently been absent from the state, although his absence had never been so long as to justify the presumption of his death. Two daughters were the fruit of this marriage, and Keeling and his second wife lived happily together until the day of their death. About two years ago Keeling died leaving a large estate. His son by the first wife is dead, leaving two children, and his daughters by the second wife are married.

Shortly after the death of Keeling, the husbands of his daughters (the appellants in this suit) applied to the county court of Princess Anne for Letters of Administration on his estate, as being the next of kin to the deceased. This was opposed by the mother and guardian of the children left by Keeling's son, on the ground that the daughters were illegitimate, they being the issue of an illegal and void marriage, and consequently not entitled to any portion of the estate. The county court sustained the objection, & appointed the guardian of the grand-children the Administrator. On an appeal to the District Court of Suffolk, that court affirmed the judgment of the county court, from which judgment the husbands of the daughters appealed to the Court of Appeals.

The case chiefly depended on the exposition of a clause in the law of Descents, passed in the year 1785, which took effect on the 1st of January 1787; the clause declares that "the issue of marriages deemed null in law, shall nevertheless be legitimate." By the common law the children of all illegal marriages were illegitimate. The question was, whether the common law on that subject was totally or partially altered.

It was contended for the Appellants that the legislature intended to change the law entirely, and that the innocent offspring of all illegal marriages were legitimate.

For the Appellee it was contended that the legislature only meant to legitimate the issue of such illegal marriages as required an annulling act to make them void, and not such as were absolutely void from the beginning: that a marriage with a person already married, was void from the very moment of its being contracted, and that consequently the issue of such illegal marriages were still illegitimate as at common law. It was also urged that the law of 1785 did not apply to this case, as the daughters were born previous to the 1st of January 1787. The reply made to this argument by the Appellants counsel was that the law operated from the date of the death of the father, and not from the time of the children's birth.

The court on Saturday last unanimously decreed that the common law on this subject was totally changed, that the issue of

all illegal marriages were legitimate under the act of 1785; they reversed the judgment of the District Court, and directed the administration of the estate to be conferred on the Appellants.

#### BANK OF VIRGINIA.

The commissioners have not yet graduated the shareholders according to the legal scale, but when the books were closed the members stood nearly thus:

4361 shares taken by	2702	Persons.
3750 (legal No.)	1023	Subscribers for 1 share.
631 (supernumerary)	167	Subscribers for more than one share.
	631	
leaves	1843	Ditto who will hold two shares.
and	1654	Ditto who will hold one share only.
	2702	ib.

On Monday the Court of Appeals, having given their decision on the Gleebe Case, terminated their session. The Court was divided on this cause: Judges Roane and Tucker being for the sale of the Gleebe; Judges Lyons and Carrington against it. In the 19th section of the law for establishing the Court of Appeals (late Revised Code, ch. 63) it is provided that the judgment of the inferior courts shall be affirmed on those cases where the voices on both sides shall be equal. The Chancellor's decision that the Gleebe lands should be sold, is consequently affirmed by the Court of Appeals.

NEW-YORK, May 18.

Captain Hanswien, of the brig Rolia, brings French papers to the first of April. The paper of the 30th of March, contains the trial of Louis Antoine Henri, of Bourbon, duke of Englien, who was shot soon after his condemnation; and it was believed in France, that Moreau, Pichegru, La Fayette &c. (who had also been taken) would be put to death. The comptroller of the post office at Strasburg, two cizevant lieutenant generals, who had been in the corps of Conde, several ecclesiastics, and many others, had also been seized and carried to Paris.

There had been an embargo at Bordeaux for eighteen days previous to the 12th of April, when it was taken off; during which time a number of boats for the invasion crept out of port, and stole along the coast. It was however, believed in France, that no attempt would be made to invade England.

Several American gentlemen had been taken up in France and imprisoned—and every man suspected of being unfriendly to Bonaparte, was sure to be condemned to prison.

Passengers in the Rolia. Mr. John Frumson, Mr. Daniel Steinmetz, Mr. Ferdinand Levosson, Mr. Coteroy and family.

From Paris, March 20.

The following is an extract of a letter from Paris, published in a London paper of the 4th ult.

"Last Saturday all the gates or barriers were again shut at six o'clock in the morning, and continued so for 48 hours. During this time every person walking in the streets was arrested who had no pass, and a general domiciliary visit took place; I say a general, because the First Consul, to show an example of submission when the country is in danger, did not except his own palace, where even two suspicious persons were arrested. Talleyrand's brother was (though released in 24 hours) arrested at the hotel in Rue de Bacque. The terror is now so great, and honor and duty so entirely vanquished, that G—and—were given up by their own relatives; M—s, by his wife; and poor R—by his sister and brother-in-law, whom he saved from destruction in 1793. Mad. Demas suffered in the temple the agony of sixty hours confinement. During her stay, the old duchess de H—and her grand daughter were brought in there. You know the former is above eighty, and the latter not fourteen years of age. They had been denounced by their own servants.

The prison of Georges is unknown; but those of Pichegru and Moreau are changed every twenty-four hours. They have been by turns in the Temple, in the Abbey, in La Force, at Vincennes, and in the Conciergerie. The dread of their numerous partisans has caused these tyrannical measures of precaution. Pichegru has been very ill from the wounds he received when taken, and it has even been reported that he was dead; but I heard this day that he is still in La Force; that when, yesterday, he was ordered to be removed to the Temple again, he was unable to rise from bed. He has two very deep wounds in his head, and has been delirious.

"The examinations of the prisoners are continued every day separately, but they have not yet been confronted. Their interrogatories are very voluminous, and it is supposed that they will not appear before any tribunal this week. Every day some more persons are suspected or implicated. The first consul sent last Friday for Massena, Macdonald, and Lecourbe, and they have since left town, which has produced the report, that they have been exiled until the state trials are over.

"Last night the camp equipage of the first consul left, for the second time in ten days, this city for the coast, but a courier has ordered them back again. Last Tuesday they were at Amiens, but received orders by the Telegraph to return. You can judge from these contradictory movements, how impossible it is to say when the destiny of England will finally be determined. That it is however, not far distant, is the common opinion."

#### OF GRAFTING OLD APPLE-TREES.

It frequently happens, that, through some mistake or other, after waiting ten or twelve years for a tree to come into a bearing state, it is then found that the fruit is neither fit for the table nor the kitchen; in such case, we always figure them the following springs, observing to graft the finest and healthiest shoots, and as near as possible to the old graft, and where the cross shoots break out; by so doing, you will have

some fruit the second year; and in the third, if properly managed, you will have as much as on a maiden tree of fifteen years standing."

The canker, if any, must be carefully pared off the branch, and the scion must be taken from a sound healthy tree.

Whenever an incision is made for budding or grafting, from that moment the canker begins. I would, therefore, recommend to those employed in budding or grafting, as soon as the incision is made, and the bud or graft inserted, to rub in with the finger, or brush, some of the composition before the bass is tied on; then cover the bass all over with the composition as thick as it can be laid on with a brush, working it well in. If this operation be performed in a proper manner, and in a moist season, it will answer every purpose, without applying any grafting clay.

This I have frequently done, and found it succeeded perfectly to my wishes—Observe not to slacken too soon the matting (or bass) which is wrapped round the bud; for in that case you will find the incision opened, which very often occasions the death of the bud.

If Nurserymen and Gardeners would give this method a fair trial and use the same composition as I use for curing defects in trees, instead of loam and horse dung (which binds so hard as to prevent the ram and moisture from penetrating to the graft to moisten the wood and bark) they would find that the grafts would succeed much better. The composition, for this purpose, should be rather softer than grafting clay, generally is; and instead of applying so large a mass as is generally done of clay, it need not, in most cases, be more than two or three inches in circumference.

[Forsyth on fruit trees, &c. for sale at this office.]

"This rule must be of great use, and I find it to have been practised with great success at Kensington."

"Bass is the stuff of which are made the mats that are put round trunks, &c. in the shipping of goods. It is a nice soft ligament, and is much better than any other, as it never resists the swelling of the wood."

#### SOUTH-CAROLINA LEGISLATURE.

Friday, 11th May, 1804.

The part of the Governor's message respecting the amendment to the constitution was referred to Messrs. Alston, Hill, Taylor, H. Deas and Dickey.

Mr. Falconer pressed the house to take up the business of the boundary line between North and South Carolina. Referred to a committee.

A bill appropriating money for the pay of the members was read a first time, and ordered for a second reading on Monday.

Mr. Alston reported from the committee on the amendment of the federal constitution in favor of its adoption. Ordered, on motion of Mr. Falconer, to a committee of the whole, and to be printed; a previous motion of the same member, to bring in a bill for it having been rejected.

#### TO WHOM IT MAY CONCERN.

IN the last Virginia Argus, there was a publication by Mr. Willis Wills of Buckingham, relating to a controversy between Mr. Zacharias Taliaferro of the same county and himself—which is now depending in the superior Court of Chancery.

Mr. Willis Wills, in this publication, appears to have intended to prop his own reputation by destroying that of George P. King, to whom he has referred, as my late private secretary. Having understood before this piece was published, that Mr. Wills intended to introduce my name in it, I deemed it necessary to make enquiry, and informed him that at the time when Mr. King went to Petersburg and gave the deposition, he was not employed in my office, or otherwise, by me, nor had he been for some time before. I also told him that Mr. Taliaferro was the employer; that the deposition was given in the commissioner's office, when I was not present; and if he would enquire of Mr. Thomas Norvell and master commissioner Greenhow, he might know the facts from them. Mr. Wills did make the enquiries, and yet has thought proper to conceal the answers.

Mr. George P. King made a temporary engagement, to write in my office some time last fall. He fulfilled his engagement, and afterwards resided for some time with Mr. Thomas Norvell of this city; so that I had not at the time when he went to Petersburg, any thing to do with him. Injustice to Mr. King, it is proper to declare, that he conducted himself, while he was a member of my family, with very great propriety and honor.

As I am a stranger to Mr. Wood Tucker, and likewise to his hand writing, it is not proper for me to say much about either; but I believe that no impartial man, who sees the signatures to which Mr. Wills has alluded, will be able to distinguish, if either of them has been counterfeited, which it is. If a forgery has been committed, Mr. Wood Tucker will no doubt take the proper steps to bring the offender to justice. If on the other hand he has through forgetfulness, or other causes, committed an error, his own feelings will no doubt prompt him to repair the injury as far as he can.

Mr. Taliaferro and Mr. King both live at a considerable distance from Richmond. This article is written without the knowledge of either, for the purpose of explaining as much as I know, and to induce the public to suspend their opinion until they can have time to make their own defence.

With respect to the law suit between Taliaferro and Wills, it now depends in the superior Court of Chancery, has been referred to master commissioner Greenhow, who, at the instance of Mr. Taliaferro, and at a very great expense, has made a complete examination into the books and transactions of Willis Wills & Co.—in which concern Mr. Taliaferro was a partner, and for the settlement of which the suit was brought by him. I have taken no part in this controversy, which was not dictated by my duty as counsel for Mr. Taliaferro. As to the manner in which this duty has been discharged, I can with great safety, and some pride, refer to master commissioner Greenhow.

#### HENRY BANKS.

STRAYED from the subscriber, in Prince Edward county, in the month of September last, one small grey MARE, four years old in the spring 1803, four feet 8 or 9 inches high, branded on the near buttock and shoulder with a G. The mare was put to a horse last season, and supposed to be in foal when she strayed. The above described mare was raised in Richmond by a Mr. Daadridge. Any person that will give such information of said nag so that I get her, shall be well rewarded for their trouble.

JAMES GILLISPIE.

Prince Edward, May 21st, 1804. w3t

#### A NEAT ASSORTMENT OF

Morocco Pocket Books

Is just received and for sale at this office.

THE question respecting the validity of the law authorizing the overseers of the poor to sell the glebe lands in the different counties in certain cases, having been fully discussed before the court of appeals—the court being divided, of course the Chancellor's decision stands—in consequence of which will be exposed to SALE, to the highest bidder on the premises, on Monday the 2d of July next, if fair, if not, the next fair day, the GLEBE LANDS, in the parish of Manchester and county of Chesterfield, containing 409 acres. Twelve months credit will be allowed the purchasers—bond and approved security as the law directs.

THE COMMISSIONERS.

Chesterfield, 23d May, 1804. tds

## Universal History.

Ancient and Modern, from the earliest records of Time, to the General Peace of 1801.

BY WILLIAM MAJOR, Vicar of Hurley, in Berkshire, and Chaplain to the Earl of Dumfries.—In twenty-five volumes. Illustrated with appropriate Engravings.

THE encouragement given of late years to the re-publication of useful works, while it gives an important advantage to the manufacturers of our own country, adds to the stock of general information, and opens a wide field of enterprise. To this encouragement we owe many valuable books, which without it would never have appeared, or at least have had but a very confined circulation. To this we are indebted for the improvement in our printing, which has deservedly raised the character of American publications; and to this the publishers of the present work look, to enable them to bring it forward, with credit to themselves, and satisfaction to the purchasers.

PERHAPS no subject is more generally interesting than that of HISTORY—it carries us back to primeval ages—triumphs over time—and presents to our eyes all the various revolutions which have happened to men and states. It unfolds to us the experience of antiquity, and introduces us to the acquaintance of the illustrious dead, by exhibiting their living actions—their virtues—and their faults. Confined without it to the limits of our own observations, and shut up within the narrow circle of our own prejudices, we must ever continue in a state of infancy and ignorance.

THE stores of History, however, form a mass of information which, collected for centuries past, occupies too much space to be readily embraced; it requires the discriminating hand of a master to select and arrange, to be rendered really useful; to this task the talents of Dr. Major are peculiarly adapted; with a style at once elegant and comprehensive, he gives to the reader, in a small compass, what was before diffused over many volumes. Avoiding the extremes of prolixity and brevity, he has supplied what has so long been wanted, "a perspicuous view of Universal History;" whose professed aim is "to preclude the apology for ignorance in one of the most interesting and useful objects of human research."

In this undertaking, the publishers solicit the aid of every friend to literary merit, and promise, on their part, that no exertion shall be wanting to render the American edition equal to the London copy. It shall be printed on a superfine velum paper, with a new and beautiful type, and delivered in separate volumes, at the reduced price of One Dollar each, in boards, embellished with all the plates and maps which are contained in the original.

SAMUEL F. BRADFORD, &

JOHN CONRAD & CO.

Subscriptions to the above work received by Samuel Pleasants, Jun. Richmond.

P. Judson & D. J. Burr,

HAVE entered into partnership, under the firm of JUDSON & BURR, and have at their store two doors above the Eagle Tavern, a general assortment of

## HATS & SHOES,

And a few fashionable SUWARROW BOOTS—Also on consignment and for sale low for cash or produce.

1 Trunk superfine prints and blue nankeens, 5 Cases men's plated hats, 53 Mattresses assorted, 2 tons Iron—best country refined, Men's bontees, men's & boy's coarse shoes. Richmond, 21st May, 1804. w3t

IN consequence of the time it will require to arrange the Books to show the balances remaining due to the Subscribers to the Bank of Virginia who have not obtained the full number of shares for which they subscribed, the commissioners for Richmond think it necessary to inform the concerned, that they expect the books will be fully arranged by the 11th June, after which time, all to whom balances may remain due, will be paid on application, but it will be necessary that they appear in person, or grant proper authorities to agents for that purpose.

By order of the Board,

E. CARRINGTON, Chairman.

Richmond, May 25, 1804.

THE SUBSCRIBER HAS OPENED A

## Grocery Store,

In the next house above the Eagle Tavern (the property of Mr. Temple) where he has for sale, SALT, COGNAC BRANDY, HOLLAND GIN, ANTIGUA SPIRITS, LOAF and BROWN SUGAR, COFFEE, IMPERIAL, and YOUNG HYSON TEA, PEPPER, ALL-SPICE, GINGER, NUTMEGS and other SPICES; SOFT SHELL ALMONDS, QUEEN'S WARE, DEMIJOHNS, and sundry other articles, which he will sell very low at wholesale or retail, for cash or country produce.

DANIEL TRIPLETT.

October 11, 1803. w12m

Cash given for TOBACCO, FLOUR, or FLAX SEED.

## The beautiful Spanish Horse,

## APPALUSIA,

NOW standing at my plantation on Chickahominy, near the new bridges, will be let to mares at Twelve Dollars the season, payable the first day of October next, but Notes (to be sent with the mares) may be discharged by paying Ten Dollars on or by the 1st of August, when the season will end. Insurance Eighteen Dollars, (notes sent as above payable the 1st March, 1805). Five Dollars cash the leap. In either case Half a Dollar to the Groom, to be paid down.—Mares will be fed with Clover and Lucern grass, and Corn if required, at the selling price. I have 20 spare stalls in a strong new stable, with substantial locks, where they may be kept of nights, but will not be answerable for escapes.

APPALUSIA is lately from South America, about nine years old, 15 hands high, of a beautiful spow white color and most elegantly formed. It is unnecessary to point out the great superiority of this excellent breed of horses for the saddle, harness, &c. as it is generally known that they are well gaited, gentle and the most hardy and thrifty horses in the world, and many live to be upwards of 50 years old.

BENJAMIN DU-VAL.

Richmond, May 21st, 1804.

## READY MADE PENS

For sale at this office.